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5 *Attorneys for Defendant*
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF WASHINGTON

10 ALETA BUSSELMAN,

11 Plaintiff,

12 v.

13 BATTELLE MEMORIAL
INSTITUTE, an Ohio nonprofit
14 corporation,

15 Defendant.
16

No. 4:18-cv-05109-SMJ

PRAECIPE

17 TO THE CLERK OF THE ABOVE-ENTITLED COURT:

18 You will please **associate** three prior filings by defendant Battelle Memorial
19 Institute (“Battelle”) with Battelle’s concurrently filed “Motion to Seal Battelle’s
20 Prior Filings Found at ECF No. 108-1, ECF No. 114, and ECF No. 116.”

21 Specifically, you will please associate with Battelle’s concurrently filed motion to
22 seal the following documents: **(1)** Battelle’s corrected Motion to Reopen Discovery
23

PRAECIPE - 1
Case No. 4:18-cv-05109-SMJ

4847-7994-6915v.1 0021368-000014

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1 for Limited Purposes and Third Motion to Compel Discovery Responses (ECF No.
2 97 as corrected at ECF 108-1); (2) Battelle's Response to Plaintiff's Motion to
3 Exclude Testimony of Defendant's Expert Russell Vandenberg, M.D. (ECF No.
4 114); and (3) the Declaration of Russell Vandenberg, M.D. (ECF No. 116).

5 You will please also **remove** from the public court file these three prior
6 filings, which were respectively filed on August 27, 2019, August 30, 2017, and
7 August 30, 2017.

8 However, you will please **not strike or otherwise alter** any related motion
9 briefing schedules or hearing dates, specifically including that of Battelle's Motion
10 to Reopen Discovery for Limited Purposes and Third Motion to Compel Discovery
11 Responses. (ECF No. 97 as corrected at ECF 108-1).

12 This request to remove Battelle's three above-described filings from the
13 public docket and to associate them with Battelle's concurrently filed motion to seal
14 is owing to Plaintiff's counsel's August 30, 2019, assertion to Battelle's counsel
15 that he believes these three filings contain confidential information that should be
16 immediately removed from the public court file and subject to a motion to seal.

1 DATED this 3rd day of September, 2019.

2 Davis Wright Tremain LLP
3 Attorneys for Battelle Memorial Institute

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5 By s/ Mark N. Bartlett

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PROOF OF SERVICE

I hereby certify that on the 3rd day of September, 2019, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

John P. Sheridan
The Sheridan Law Firm, P.S.
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s/ Mark N. Bartlett

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